



# City of Milwaukee

Department of Administration  
Intergovernmental Relations Division

**Tom Barrett**  
Mayor

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November 10, 2010

TO: Alderman Ashanti Hamilton, Chairman  
Judiciary and Legislation Committee  
  
Members, Judiciary and Legislation Committee

FROM: Audra Brennan, Director  
Intergovernmental Relations Division

RE: City of Milwaukee's 2011-12 Legislative Package

Attached for your consideration is a proposed 2011-12 Legislative Package for the City of Milwaukee. The proposals have been generated by City Departments, Common Council members and Mayor Barrett. Together they reflect issues of importance to the City that can be addressed by the State Legislature.

The legislative package focuses on strengthening the relationship between the City and State in order to achieve our shared goal of moving Milwaukee and Wisconsin forward. Departments were specifically asked to submit items for consideration which required State legislative action to provide better outcomes in one of the following strategic planning areas:

- City fiscal capacity and administration
- Public safety of City Residents
- Health of City Residents
- City Infrastructure
- Quality of life for City Residents (Education, Neighborhoods, Environment)
- Economic Well-being/ Job Opportunities in the City

The legislative package is comprised of two documents attached to this letter. The first attachment provides an overview of proposed priority areas for the legislative package and key proposals within each area. The second attachment includes a number of additional specific proposals which are organized by the specific strategic planning area they address.

Once the Legislature convenes in January 2011 the early months of the session will be dedicated to the Wisconsin State Budget which will be introduced by the Governor in mid February. We have indicated those items which we would propose to advocate for as part of the State budget.

The intent is that once this legislative package is approved by the Common Council, it includes all legislative initiatives that the Council approves the Intergovernmental Relations Division to pursue in the upcoming session as of this date. Additional items can be added through separate resolution. We anticipate the Council may seek to add recommendations that will be forthcoming from the African American Jobs Task Force in the near future.

The Intergovernmental Relations staff looks forward to providing you a more complete description of these initiatives and to responding to any of your questions regarding the 2011-12 Legislative Package.

cc: Mayor Tom Barrett

## Attachments

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**KEY POLICY ISSUES**  
**City of Milwaukee Legislative Package**  
**2011-12 Legislative Session**  
**“Strengthening the City/State Relationship”**

Milwaukee is the economic hub of the State of Wisconsin. It is a premiere center for advanced manufacturing, fresh water research and development, green technology, health care, biomedical technology and financial services. Milwaukee's dynamic and accessible markets attract people, business and investment in large and increasing numbers and its transportation system is a gateway for tourism, conventions, commerce, and economic development with benefits statewide. **It is critical that we partner with the State to improve Wisconsin's economic vitality and quality of life.**

There are many ways that the State can and does support our efforts, but there are also many areas where the relationship must be strengthened in order for the City and State to realize our full potential. The City's legislative package provides several opportunities for the State to assist in that shared goal.

**Legislative Priority Areas**

**Increase Intergovernmental Aids.** The State provides aids to local governments as a way of achieving several policy goals including tax base equalization, replacing a portion of the lost tax base resulting from State imposed exemptions, offsetting state mandated costs incurred by local governments, lowering the overall property tax burden, and recognizing that many local government services extend to residents throughout the State.

Milwaukee's largest source of revenue is the **\$237.7 million** it receives through the State's Shared Revenue Program and the related Expenditure Restraint Program. In real dollars, the Shared Revenue payment has declined by **\$60 million** since 2003. **It is imperative to increase the State's funding commitment to the Shared Revenue Program.**

We will also **work to maintain or increase funding from approximately 100 smaller programs that the State funds directly or serves as the intermediary for**, including efforts to:

- Encourage the State to prioritize funding to maintain existing local road and sewer infrastructure. Milwaukee has over 900 miles of residential streets, 350 miles of connectors and arterials, 400 miles of alleys, and 2400 miles of sewer laterals that need routine maintenance.
- Increase Recycling Grants. The Recycling Grant program and tipping fees for solid waste disposal are meant to work together to reduce unnecessary waste. However, the State recently increased tipping fees significantly with no increase in support for local recycling programs.
- Use the State Forestry Tax in the short term to address Emerald Ash Borer threat. Approximately \$5 million of the property taxes paid by Milwaukee residents goes to the State to preserve our forests, however less than \$25,000 is currently used to protect urban forests in Milwaukee.
- Redirect the Police and Fire Protection fee to municipalities to support first responder costs.

**Respect and Restore Local Control**

Many efforts have been made in Madison to erode the ability of local public leaders to make decisions that affect their constituents, such as maintenance of effort requirements, levy limits and collective bargaining mandates. We must maintain the integrity of our local government system by assuring the public that decisions remain at the level of government closest to them. This includes opposing efforts to bypass collective bargaining to remove our authority to employ those who reside in the city they serve.

## **Diversify Local Revenue Capacity**

Milwaukee is severely fiscally strained by Wisconsin's outdated and inflexible system of local government finance. The lack of diversification of city revenue sources means we are heavily reliant on the residential property tax base to finance city operations. Property tax exemptions have eroded the non-residential property tax base, shifting more of the property tax burden to owners of residential property. In 1970 residents paid 50% of all taxes compared to 72% today. To decrease this burden on homeowners, the State should:

- Protect the property tax base, ensure uniform assessment practices and provide an equitable appeals process so that property taxes are distributed fairly and the city does not incur undue cost.
- Consider authorizing other options to diversify local revenue sources to offset property taxes.
- Support municipal service consolidation efforts.

## **Attract and Grow Businesses and Create Employment Opportunities**

Increasing employment is critical to addressing the economic challenges facing our State. The State should increase support for programs that provide job training skills, encourage more employment opportunities, support business development and ensure access to jobs through public transportation. Specifically:

- Continue State funding for the Transitional Jobs and Summer Youth Employment programs.
- Continue to support State Economic Development Tax Credits and expand as appropriate.
- Support efforts to maximize our competitive advantage as a comprehensive transportation hub through initiatives such as the expansion of the Milwaukee Aerotropolis.
- Ensure necessary funding to provide a comprehensive, safe public transportation system, including local and regional transit as well as a high speed rail to link Milwaukee to other urban centers.
- Support the School of Public Health and School of Freshwater Sciences and promote further UW-Milwaukee expansions in the City of Milwaukee.

## **Reduce Illegal Guns and Improve Public Safety**

The proliferation of illegal guns in our community has resulted in an immeasurable cost in human lives, health care services, and public safety. To reverse that trend we must:

- Close the loopholes in state law that allow for easy access to firearms by criminals.
- Seek additional funds to support public safety efforts in our community.

## **Improve Educational Opportunities for Milwaukee Families**

Milwaukee Public Schools (MPS) has one of the largest achievement gaps of any urban district. We must come together as a community to close that gap by focusing education and child care resources efficiently and ensuring accountability for outcomes. Also, despite success in securing funds to offset the impact, the funding formula for the Milwaukee Parental Choice Program (MPCP) unduly burdens Milwaukee taxpayers. Choice students are not counted for purposes of determining equalized value per student, reducing the school aid that comes to MPS. To improve educational opportunities we will seek to:

- Better address factors such as poverty, special needs populations in the state funding formula.
- Ensure the MPCP funding mechanism addresses the existing inequity for Milwaukee taxpayers.
- Increase funding for libraries which are a key partner in improving literacy.
- Seek better coordination with child care programs to ensure improved school readiness.

## **Improve City Housing Stock**

Public resources are being strained by the increase in foreclosures throughout the region. Currently in the City of Milwaukee, there are more than 1600 bank-owned foreclosures. The underlying instability in the neighborhoods hardest hit only makes our challenge that much greater. Legislative changes and funding for foreclosure prevention, intervention, and neighborhood stabilization programs are critical to turning this crisis around.

**LEGISLATIVE PROPOSALS**  
**2011-12 Legislative Session**  
**11/10/10**

CATEGORY	PROPOSAL	DEPARTMENT
Community Health	Increase funding to test beach water quality and update DNR standards on closure of beaches to better fit unique circumstances that may arise.	Health Department B
	Increase per capita funding for public health agencies in Wisconsin to be on par with states with similar size.	Health Department B
	Increase funding for faculty and research at the UW-Milwaukee School of Public Health.	Health Department B
	Provide funding for the Wisconsin Center for Health Equity.	Health Department B
	Increase funding for preventing the spread of Tuberculosis.	Health Department B
	Increase funding for programs to prevent the spread of sexually transmitted diseases.	Health Department B
	Support efforts to ensure access to affordable health insurance for Milwaukee residents.	DOA-JRD B
	Support the statewide smoking ban.	DOA-JRD
Crime and Public Safety	* Amend Wis. Stat. §349.13 by replacing traffic officer with parking enforcer to clarify that parking checkers are able to enforce parking violations.	City Attorney
	* Create §891.47 to establish a presumption in municipal court that a parking ticket is presumptive evidence of the facts therein.	City Attorney
	* Amend the Juvenile Justice Code, Wis. Stat. §938.396 (2g) to allow law enforcement agencies and officers access to and copies of court records of juveniles for law enforcement purposes.	City Attorney
	* Amend the Controlled Substances Act, Wis. Stat. §961.571, to better define drug paraphernalia.	Common Council
	Prohibit the possession, use, or sale of synthetic marijuana statewide.	Common Council
	* Create Wis. Stat. §349.175 to permit the impoundment of vehicles operated in violation of cruising related and other traffic ordinances. Require payment of forfeitures as a condition of release of the impounded vehicle.	Common Council
	* Amend Wis. Stat. §167.10 to prohibit possession and use of fireworks statewide, strengthen state law for permitting of fireworks granted by state or any local jurisdiction, establish penalty for fireworks violation and establish enforcement jurisdiction where violation occurs.	Common Council
	* Amend Wis. Stat. §346.74 to increase the fine for a hit and run accident.	Common Council

\*Denotes initiatives from previous legislative packages.

'B' indicates State Budget item.

Crime and Public Safety	<ul style="list-style-type: none"> <li>* Authorize the use of photographic traffic enforcement systems to detect red light running violations.</li> <li>* Amend Wis. Stat. 125.68 (3) Prohibit Class A and B licenses within 300 feet of a day care center.</li> <li>Amend Wis. Stat. §943.017 to change the graffiti penalty to felony.</li> <li>Expand municipal authority under Wis. Stat. §134.71 to approve, issue, deny, refuse renewal, suspend and revoke precious metal and gem dealer licenses.</li> <li>Extend the Police and Fire Protection Fee (911 Surcharge) created in Wis. Stat. §196.025 and distribute it to municipalities outside of the Shared Revenue program to support the cost of first responders.</li> <li>* Modify the format of vehicle registration stickers to reduce sticker theft.</li> </ul>	Common Council	
	<ul style="list-style-type: none"> <li>*Enact a Firearms Package that: <ul style="list-style-type: none"> <li>– Makes straw purchasing a felony (2009 AB 373).</li> <li>– Prohibits felons from being within 1,000 feet of a store that sells firearms, a gun show or a firing range.</li> <li>– Requires that private gun sales be brokered at a location that holds an FFL. Include reasonable exceptions (e.g., familial sales).</li> <li>– Requires the timely reporting of a lost or stolen firearm and criminalizes false filing (2009 AB 518).</li> <li>– Memorializes the federal prohibition of felons possessing ammunition (18 U.S.C. 922(g)).</li> </ul> </li> </ul>	Police Police	
	<ul style="list-style-type: none"> <li>* Amend Wis. Stat. §345 to establish a time frame (180 days) to pay and/or adjudicate a parking citation. Failure to do so will result in a plea of no contest, finding of guilt and a judgment entered.</li> <li>* Create Wis. Stat. §349.132 to authorize cities to tow and/or boot any vehicle with multiple unpaid parking citations.</li> <li>* Amend Wis. Stat. §346.56 (1m) to change the penalties for parking violations by removing the differentiation between the first and second offense.</li> <li>Support initiatives to address the fraudulent use of handicapped parking cards.</li> </ul>	DPW – Parking DPW – Parking DPW – Parking	

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Economic Well-Being	*Expand eligibility to the Homestead Property Tax Credit.  *Raise the income threshold for the Wisconsin Property Tax Deferral Loan Program to \$30,000.  *Amend Wis. Stat. §66.0309 so the SEWRPC board composition reflects the population proportion of member counties.  Modify state formula for allocating Workforce Investment Act funding to MAWIB.	Common Council Common Council Common Council	B B B
	Expand eligibility for the Earned Income Tax Credit.	DOA/IRD	B
Education	*Restore funding source for Public Education and Government (PEG) channels.  *Increase funding for Library System Aid to 13% of statewide library expenditures, as required in the Department of Public Instruction's requested budget.  *Seek an exception to DOT's policy on freeway signage to allow signs to be posted for exits to the Historic Central Library.  *Officially recognize and provide funding for the Central Library as the State Resource Library to provide support for the Great Lakes Marine History Collection.  Seek to facilitate the transfer of surplus MPS buildings.	Common Council Library Library Library	B B B B
Environmental Sustainability	*Offset any increased recycling tipping fees with increased recycling grants.  Seek incentives for utilities to expand energy efficiency initiatives by allowing them to earn a rate of return on such initiatives or expanding a portfolio requirement; and direct the PSC to allow and incentivize an on-bill fee for energy efficiency loans.  Amend Wis. Stat. §70.111 (18); Wis. Stat. §77.54 (30); Wis. Stat. §196.378 (1) (ar) to expand State tax incentives for solar installations.  Include language in Department of Natural Resources Administrative Rule 216 (NR 216) to codify the agreement to include sediment reduction attributable to combined sewers toward municipalities' developed urban area performance standard outlined in NR 151.  *Provide funding to communities impacted by Emerald Ash Borer and other invasive pests for risk management and reforestation.	Common Council DOA – Budget	B B

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Environmental Sustainability	Establish a product stewardship law administered by the Department of Natural Resources under which multiple product classes can be considered for designation under producer-funded stewardship programs.	DPW – Operations
Infrastructure	<ul style="list-style-type: none"> <li>*Expand funding for the Clean Water Program to further support sewer infrastructure replacement.</li> <li>*Increase funding for local road repair and replacement.</li> <li>*Include cargo handling equipment as eligible for Harbor Assistance Program grant funds.</li> <li>Amend Wis. Stat. §145.06 to allow municipal utility employees to repair water and sewer service piping.</li> </ul>	DOA – Budget DOA – Budget Port DPW – Water
Neighborhoods and Housing	<ul style="list-style-type: none"> <li>*Amend Wis. Stat. §458 to require mandatory licensure for all real estate appraisers.</li> </ul>	Assessor
	<p>Amend Wis. Stat. §66.0903 (2) to exempt the following from prevailing wage requirements: construction, renovation, and demolition of residential properties containing 4 or fewer units, unless the property will house a government function.</p> <p>Create Wis. Stat. §846.011 to include in the definition of owner an entity that causes a property to become abandoned through filing a foreclosure action.</p> <p>Allow for a fee payable to the city to be charged at the time of filing a foreclosure action to cover the estimated cost of city services to ensure the property is not a blighting influence on the neighborhood while in the foreclosure process.</p> <p>Amend Wis. Stat. §846.102 to shorten the redemption period for properties involved in a foreclosure action that meet the definition of being abandoned.</p> <p>*Create a statewide employer-assisted housing program.</p> <p>Improve the mowing standard for highways and State or County owned properties in urban areas.</p>	Common Council DNS DNS DNS DNS DOA – IRD DPW – Operations
Administration and Finance	<ul style="list-style-type: none"> <li>*Amend Wis. Stat. §70.03 to clarify the taxability of triple-net leased properties and contract rights.</li> <li>Discourage frivolous appeals by requiring a fee for appeals to the Board of Review.</li> <li>Amend Wis. Stat. §70.07 to require income and expense information to be submitted to BOA in 1<sup>st</sup> class cities, similar to what is required in all other cities under §70.47 (af).</li> </ul>	Assessor Assessor Assessor

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Administration and Finance	Amend Wisconsin Public Records Law, Wis. Stat. §19.31-39 to create a section on fees to be charged for electronic records. Amend Wisconsin Public Records Law, Wis. Stat. §19.31-39 to create a "deliberative process" or "frank communication" exception.	City Attorney City Attorney
	Amend Wisconsin Public Records Law, Wis. Stat. §19.35 (3), to create a provision for charging requesters for a record custodian's actual and direct costs of redacting, or separating, portions of records that are not subject to public disclosure from portions that are subject to disclosure.  * Amend Wis. Stat. §341.35 to allow municipalities to charge the motor vehicle registration fee to vehicles greater than 8000 pounds.	City Attorney
	* Seek an exception to Wis. Stat. §66.0628 to authorize the City to auction taxicab permits for payments exceeding the costs related to licensing.	Common Council Common Council
	Amend Wis. Stat. §19.84 so that the electronic posting of meeting notices is sufficient to meet posting requirements.  *Seek legislation that would grant cities of the first class the option of enacting a system where the chiefs of the fire and police departments are appointed by the Mayor.	Common Council
	Amend Wis. Stat. §66.1105 (5) (b) to direct Department of Revenue to calculate the tax incremental base for TID 72 as though the requirements for a 2009 creation were met.	DCD
	* Amend Wis. Stat. §66.1105 (6) (c) to allow for tax increments to be deposited into a separate fund for a tax incremental district, or into a consolidated fund for all tax increments received by a municipality.	DCD
	* Amend Wis. Stat. §66.1105 (5) (bm) to keep property owned by the City and being marketed for redevelopment purposes out of the TID base.	DCD
	* Allow the City of Milwaukee to enroll in the State's "municipal" health insurance plan.	DER B
	Amend Wis. Stat. §63.39 (2m) to provide that veterans with the same test score are treated equally.	DER
	Amend Wis. Stat. §111.70 (4) (cm) 7 to change the factors associated with collective bargaining to disallow inaccurate employer comparisons and more closely reflect the city's cost-of-living.	DER
	Amend Wis. Stat. §814.65 (1) to increase the maximum allowable Municipal Court Fees.	DOA – Budget
	Address inequity in municipal video franchise fee by including satellite providers.	DOA – Budget B
	Change the Maintenance of Effort (MOE) requirement for public libraries.	DOA – Budget B

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Administration and Finance	<ul style="list-style-type: none"> <li>* Amend Wis. Stat. §7.30 (2) to allow municipalities to draw poll workers from the county rather than just their respective municipality.</li> <li>Amend Wis. Stat. §7.20 (2) so the City Board of Election Commissioners be non-partisan, similar to the State Government Accountability Board.</li> <li>* Allow for additional satellite in-person absentee ballot sites.</li> </ul>	Election Commission
		DOA-IRD
	<ul style="list-style-type: none"> <li>Ensure accessibility in the electoral process.</li> </ul>	DOA-IRD
	<ul style="list-style-type: none"> <li>Amend Wis. Stat. §43.30 (1m) to make it explicitly permissible to share public library records with collection agencies.</li> </ul>	Library
	<ul style="list-style-type: none"> <li>Amend Wis. Stat. §323.42 (1) to reduce the amount of city liability that the City is responsible for before the State will indemnify for volunteer liability.</li> </ul>	B Emergency Management & Homeland Security

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